



PEORIA POLICE DEPARTMENT

August 2, 2012

Shawn Musgrave
1634-70054730@requests.muckrock.com

RE: Freedom of Information request regarding drones (2012-PD-1679)

Mr. Musgrave:

We received your Freedom of Information request for information. Your request involved several items. I will respond to each item individually.

Item 1, requesting information on requests or proposals submitted by vendors, contracts or cost allocations for the purchase or use drones.

With regards to any requests for proposals by vendors your request is denied. The Freedom of Information Act, Section 7, (h) exempts the disclosure of this information. Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

In addition, they are exempt under the Freedom of Information Act, Section 7, (f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body.

Item 2, Requesting any policies, guidelines, manuals, and/or instructions on the Department use of drones including on the legal process required before operating a drone.

The Peoria Police Department has no record regarding any policies, guidelines, manuals, and/or instructions on the Department use of drones including on the legal process required before operating a drone.

Item 3, requesting any department records concerning this department's use of drones now or plans to use drones in the future including:

a. Types of investigations or instances where the department is using or plans to use drones or how it plans to support, manage or oversee the usage of drones by another department.

Your request for the above information is denied. The Freedom of Information Act, Section 7, (iv) exempts information that could unavoidably disclose the information when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request;

In addition, the Freedom of Information Act, Section 7 (v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of agencies related to detection, observation or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the agency or public body that is the recipient of the request;

In addition the Freedom of Information Act, Section 7 (v) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.

b. Policies, guidelines, manuals, and or instructions on storage requirements or procedures for video or static images obtained through the use of drones.

The Peoria Police Department has no record regarding any policies, guidelines, manuals, and/or instructions for video or static images obtained through the use of drones

c. The altitude at which drones can or do fly.

The Peoria Police Department has no record regarding the altitude at which drones can or do fly.

d. The drones ability to carry weapons.

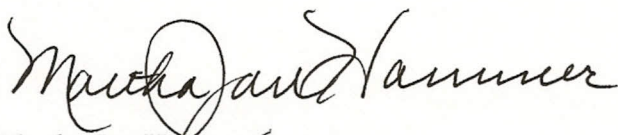
The Peoria Police Department has no record regarding the drones ability to carry weapons.

The person responsible for the partial denial of your request is Martha Jan Hammer, Records Administrator.

If you believe this interpretation of the law is incorrect, you may, in accordance with Section 9 of the Illinois Freedom of Information Act, 5 ILCS 140/9, seek review within 60 days of this decision by the Public Access Counselor, Cara Smith, Office of the Attorney General, 500 South 2nd Street, Springfield, IL, 62706, FAX: 217-782-1346, email: publicaccess@atg.state.il.us or, alternatively, you may seek judicial review of this decision by filing a lawsuit in the Tenth Judicial Circuit Court of Peoria County pursuant to §11 of the Act.

Should you choose to file a request for review with the Public Access Counselor, you must do so within 60 calendar days from the date of this denial letter.

At your Service,

A handwritten signature in black ink that reads "Martha Jan Hammer". The signature is written in a cursive, flowing style.

Martha Jan Hammer
Police Records Administrator